## UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.go

NIKAIDO MARMELSTEIN MURRAY & ORAM METROPOLITAN SQUARE 655 FIFTEENTH STREET NW SUITE 330 G STREET LOBBY WASHINGTON DC 20005-5701

MAILED

MAR 05 2009

OFFICE OF PETITIONS

In re Patent No. 5,536,506

Issue Date: July 16, 1996

Application No. 08/393,738

Filed: February 24, 1995

Attorney Docket No. P8064-4005

**ON PETITION** 

This is a decision on the petition under 37 CFR 1.378(c), filed December 11, 2008, to accept the unintentionally delayed payment of a maintenance fee for the above-identified patent.

The petition is GRANTED.

This patent expired on July 17, 2008 for failure to pay the third maintenance fee. Since this petition was submitted within twenty-four months after the six-month grace period provided in 37 CFR 1.362(e), the petition was timely filed under the provisions of 37 CFR 1.378(c).

The maintenance fee is hereby accepted and the above-identified patent is reinstated as of the mail date of this decision.

It is not apparent whether the person signing the statement of unintentional delay was in a position to have firsthand or direct knowledge of the facts and circumstances of the delay at issue. Nevertheless, such statement is being treated as having been made as the result of a reasonable inquiry into the facts and circumstances of such delay. In the event that such an inquiry has not been made, petitioner must make such an inquiry. If such inquiry results in the discovery that the delay in paying the maintenance fee under 37 CFR 1.378(c) was intentional, petitioner must notify the Office.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3208.

The patent file is being referred to Files Repository.

Karen Creasy

Petitions Examiner
Office of Petitions

cc:

ARENT FOX LLP 1050 CONNECTICUT AVENUE, N.W. SUITE 400 WASHINGTON, DC 20036-5339